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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 ROSS ALLEN PLUMB,

11 Plaintiff,

12 v.

13 PETERSON, et al.,

14 Defendants.
15

CASE NO. 3:19-CV-05199-BHS-
JRC

ORDER DIRECTING
DEFENDANTS TO FILE
ADDRESS UNDER SEAL

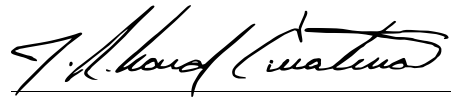
16 On April 17, 2019 the Court directed service of plaintiff's complaint. Dkt. 8. Waivers of
17 service were due May 28, 2019. *See* docket entry dated April 17, 2019. To date, defendant Silbee
18 has not returned a waiver of service. *See* Dkt. Defense counsel has not appeared on behalf of
19 defendant Silbee. *See* Dkt. In his complaint, plaintiff's handwriting is not entirely clear, but it
20 appears defendant's name is spelled "Silbee", and plaintiff alleges that defendant Silbee is a
21 corrections officer. Dkt. 7 at 2-3.

22 The court has no jurisdiction over defendant Silbee until he or she has been properly
23 served under Fed. R. Civ. P. 4. *Direct Mail Specialists, Inc. v. Eclat Computerized Techs., Inc.*,
24 840 F.2d 685, 688 (9th Cir. 1988). Under Rule 4(c)(2), the Court may order that personal service

1 be made by a United States marshal. However, in this district, the marshals do not attempt
2 personal service upon a defendant unless mail service is unavailing. *See* Local Rule 4(c).

3 If defendants are in possession of the last known business or residential address of
4 defendant Silbee, defendants are ordered to submit such address(es) to the Court **under seal on**
5 **or before July 10, 2019.** so that the Clerk may attempt to effect service. This solution alleviates
6 two concerns involving prisoner litigation: (1) the security risks inherent in providing prisoners
7 with addresses of people formerly employed by the state; and (2) reducing the problems
8 prisoners sometimes encounter when they are attempting to access information through the
9 government. *Sellers v. United States*, 902 F.2d 598, 602-603 (7th Cir. 1990). Defendant Silbee
10 may also satisfy this order by filing a waiver and by having counsel enter a notice of appearance
11 on his or her behalf. All service documents with said address(es) shall also be filed under seal.

12 Dated this 6th day of June, 2019.

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14 J. Richard Creatura
15 United States Magistrate Judge
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